

IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF VIRGINIA

Alexandria Division

UNITED STATES OF AMERICA,

**Plaintiff,**

v.

APPROXIMATELY \$2,028,163.59 IN FUNDS  
SEIZED FROM BANK ACCOUNT NO.  
167108214 at BURKE & HERBERT BANK, IN  
THE NAME OF WTC2, INC., ALSO KNOWN  
AS OPERATING ACCOUNT WTC2, INC. (“BH  
Account x8214”),

**Defendant *in Rem*.**

Civil Action No. 1:15-CV-1670

AFFIDAVIT IN SUPPORT OF REQUEST FOR ENTRY OF DEFAULT

I, ANNIE ZOE ZANOBINI, being first duly sworn, deposes and says:

1. I am an Assistant United States Attorney for the Eastern District of Virginia.
2. This Affidavit is executed by me in accordance with Rule 55(a), Federal Rules of Civil Procedure, and Rule (c)(5), Local Admiralty Rule, for the purpose of enabling the Plaintiff, United States of America, to obtain an entry of default against the Defendant, U.S. Currency in the amount of approximately \$2,028,163.59 (hereinafter, defendant property), and all persons and entities claiming an interest in the defendant property for failure to timely claim, answer or otherwise defend as to the Plaintiff’s verified complaint *in rem*.
3. On December 18, 2015, the government filed a Complaint for Forfeiture *In Rem* against the defendant property, alleging that it should be forfeited to the United States of America, pursuant to 18 U.S.C. §§ 981(a)(1)(A) and (a)(1)(C) and 31 U.S.C. § 5317.

4. A Warrant for Arrest *in Rem* was duly executed on the defendant property by the United States Department of Labor, pursuant to Supplemental Rule G(3)(b) and (c). A Proof of Service for an executed warrant for arrest in rem was filed with the Clerk of Court on August 27, 2020 (Dkt # 63).

5. Pursuant to Supplemental Rule G(4)(a), notice of the civil forfeiture action was published on an Official Government internet website ([www.forfeiture.gov](http://www.forfeiture.gov)) for a period of 30 days, beginning on February 6, 2016. Notice of publication was filed with the court on May 5, 2016. (Dkt # 25).

6. Pursuant to Supplemental Rule G(4)(b) direct notice of this civil forfeiture action and a copy of the complaint were sent via U.S. Postal Service certified mail on December 28, 2015, to all persons believed to have an interest in the defendant property. Those direct notices were sent to Rafik Moheyeldin, Alaa Nimr Garada, and WTC2, Inc. in care of Alaa Nimr Garada, the registered agent for WTC2. The government received the return receipts on each of those three direct notices, which showed receipt of delivery on December 31, 2015.

7. The only claims made to the defendant property were those of WTC2, Inc., (Dkt. #5), and the two owners of WTC2, Inc., Alaa Garada (Dkt. #11), and Rafik Moheyeldin, (Dkt. #15). The claim of WTC2, Inc., was signed by Alaa Garada as owner and president of WTC2, Inc. (Dkt. #5). All three claims were timely. The claimants are the only persons or entities known to have an interest in the defendant funds. No other individual or entity filed a claim in this matter, and the time for doing so has expired.

8. On February 6, 2020, both Alaa Garada and Rafik Moheyeldin pleaded guilty to unlawful employment of unauthorized aliens and wire fraud, in addition to a single tax violation for Garada only. *See United States v. Alaa Nimr Garada*, Case No. 1:20-cr-27 (E.D.Va. Feb. 6,

2020) (Dkt. #7); *United States v. Rafik Moheyeldin*, Case No. 1:20-cr-28 (E.D.Va. Feb. 6, 2020) (Dkt. #6). In their plea agreements, both Garada and Moheyeldin agreed to the forfeiture of the defendant property in this case, agreed that the funds constituted proceeds of the offenses to which they pleaded guilty, and agreed to withdraw their claims in this case.

9. On June 26, 2020, as agreed, both claimants withdrew all pending claims in this case, to include their personal claims and the claim of WTC2, Inc. (Dkt. #57, 58). At this point, there are no claims pending in this case.

11. Upon information and belief, no person or entity thought to have an interest in the defendant property is an infant, incompetent, or presently engaged in military service.

I declare under penalty of perjury as provided by 28 U.S.C. § 1746(2) that the foregoing declaration is true and correct.

Executed on August 31, 2020

By: /s/ Annie Zanolini  
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